

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DENIS MULLIGAN, individually and on
behalf of all others similarly situated,

No. C-13-1037 EMC

Plaintiff,

v.

**ORDER RE MOTIONS FOR
APPOINTMENT AS LEAD PLAINTIFF**

IMPAX LABORATORIES, INC., LARRY
HSU, ARTHUR A. KOCH and BRYAN M.
REASONS,

Defendants.

Currently pending before the court are three competing motions for appointment as lead plaintiff in this securities class action. All motions are set for hearing on June 20, 2013. In their briefs, two of the movants dispute the proper method of determining which potential plaintiff has the largest financial interest in the case.¹ As one example of how courts have made such determinations, both movants cite to the retained shares method of calculating financial interest set out by the court in *Eichenholtz v. Verifone Holdings, Inc.*, C07-06140MHP, 2008 WL 3925289 (N.D. Cal. Aug. 22, 2008). While the two movants provide information on the number of shares they each retained at the end of the class period, they do not provide figures for their financial interest as calculated under *Eichenholtz's* retained shares method.

The movants are thus directed to submit to the Court information on their financial interest as calculated using the *Eichenholtz* retained shares method by no later than 5:00 p.m. on Tuesday, June 18,

¹The third movant has conceded that it does not have the largest financial interest.

2013. The movants shall include such information for both the class period identified in action *Mulligan v. Impax Laboratories, Inc., et al.*, C-13-1037 EMC and for the class period identified in *Haverhill Retirement System v. Impax Laboratories, Inc., et al.*, C-13-1566-EMC.

IT IS SO ORDERED.

Dated: June 17, 2013



EDWARD M. CHEN
United States District Judge